

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN -- SOUTHERN DIVISION

THOMAS OSBECK ,

Plaintiff,

-vs-

Case No. 07-14004
Hon. Paul D. Borman

GOLFSIDE AUTO SALES, INC.,

Defendant.

**JUDGMENT FOR FRAUD, CHEATING AND MISREPRESENTATION
AGAINST GOLFSIDE AUTO SALES, INC.**

This matter is before the court on Motion for Entry of Default Judgment against Golfside Auto Sales, Inc.

The record indicates that Golfside Auto Sales, Inc., has failed to defend in this action following service of process upon the resident agent for the Defendant. The record indicates Golfside Auto Sales, Inc., was served with the lawsuit through its resident agent, the Application for Default through its resident agent and the Motion for Entry of Default Judgment through its resident agent. The record indicates that Golfside Auto Sales, Inc. has not contacted the Court, appeared or otherwise defended.

IT IS ORDERED that each of the allegations in the complaint as to Golfside Auto Sales, Inc. is deemed true and admitted and the Complaint sets forth claims sufficient such that the Plaintiff is entitled to a Judgment for Fraud, Cheating and Misrepresentation. Judgment is entered against

Golfside Auto Sales, Inc. and in favor of Thomas Osbeck.

This Court finds that Thomas Osbeck's complaint, in its current form, sets forth claims that would support a finding of fraud, cheating and misrepresentation or the Court would allow the Plaintiff to amend the complaint to conform to such a finding.

This Court finds that Thomas Osbeck's monetary loss is \$11,000.00, that her actual, monetary damages are \$11,000.00 and judgment enters in the amount of \$11,000.00 in favor of Thomas Osbeck and against Golfside Auto Sales, Inc. and judgment is deemed to be based on FRAUD, CHEATING AND MISREPRESENTATION.

SO ORDERED.

s/Paul D. Borman
PAUL D. BORMAN
UNITED STATES DISTRICT JUDGE

Dated: February 19, 2008

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record by electronic means or U.S. Mail on February 19, 2008.

s/Denise Goodine
Case Manager